

Voluntary Petition

(This page must be completed and filed in every case)

Name of Debtor(s):

FORM B1, Page 2

Emilie Montgomery**Prior Bankruptcy Case Filed Within Last 6 Years (If more than one, attach additional sheet)**

Location Where Filed:

Case Number:

Date Filed:

NONE

Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of this Debtor (If more than one, attach additional sheet)

Name of Debtor:

Case Number:

Date Filed:

NONE

District:

Relationship:

Judge:

Signatures**Signature(s) of Debtor(s) (Individual/Joint)**

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X

Emilie Montgomery
Signature of Debtor

X

Signature of Joint Debtor

Telephone Number (if not represented by attorney)

2/12/04

Date

Signature of Debtor (Corporation/Partnership)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X

Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

Date

Signature of Attorney

X

Michael W. Boyd
Signature of Attorney for Debtor(s)Michael W. Boyd, LLC 4216

Printed Name of Attorney for Debtor(s)

Boyd Law Office

Firm Name

Michael W. Boyd, LLC

Address

P. O. Drawer 1586Greenville MS 38702-1586662/332-0202

Telephone Number

2/12/03

Date

Signature of Non-Attorney Petition Preparer

I certify that I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110, that I prepared this document for compensation, and that I have provided the debtor with a copy of this document.

Printed Name of Bankruptcy Petition Preparer

Social Security Number

Address

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

X

Signature of Bankruptcy Petition Preparer

Date

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. § 110; 18 U.S.C. § 156.

Exhibit A

(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11)

☐ Exhibit A is attached and made a part of this petition.**Exhibit B**

(To be completed if debtor is an individual whose debts are primarily consumer debts)

I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter.

X

Michael W. Boyd
Signature of Attorney for Debtor(s)2/12/03

Date

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF MISSISSIPPI
P. O. BOX 867
ABERDEEN, MS 39730-0867

RE: *Emilie
Montgomery*

CASE NO: _____

DEBTOR(S)

NOTICE OF ALTERNATIVE CHAPTERS
UNDER WHICH DEBTOR(S) MAY PROCEED

NOTICE IS HEREBY GIVEN that the United States Bankruptcy Code provides four (4) alternative chapters under which an individual debtor may proceed. These four (4) chapters are as follows: Chapter 7-Liquidation; Chapter 11-Reorganization; and Chapter 13 - Adjustment of Debts of an individual with regular income. A debtor may proceed under or convert to any said chapters if the debtor meets the requirements thereof and is otherwise eligible for relief thereunder. The debtor's attorney should be consulted for advice as to a debtor's eligibility for relief under any particular chapter. This Notice, given pursuant to 11 U.S.C. 42 (b), is only to advise Individuals of the alternative chapter under which an individual may proceed and is not to be construed as advising an individual to proceed under any particular chapter or that an individual is eligible for relief under any particular chapter; and This Notice does not classify this Bankruptcy case as a consumer Bankruptcy case

JOSEPH E. WROTEN
CLERK OF COURT

ACKNOWLEDGMENT

I hereby certify that I have read this notice.

Dated: 2/12/04


Debtor

Joint Debtor (if any)

ORIGINAL

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF MISSISSIPPI
NORTHERN DISTRICT OF MISS DIVISION**

In re *Emilie Montgomery*

Case No.

Chapter 7

_____/ Debtor

SUMMARY OF SCHEDULES

Indicate as to each schedule whether that schedule is attached and state the number of pages on each. Report the totals from Schedules A, B, D, E, F, I, and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts from Schedules D, E and F to determine the total amount of the debtor's liabilities.

			AMOUNTS SCHEDULED		
NAME OF SCHEDULE	Attached (Yes/No)	No. of Sheets	ASSETS	LIABILITIES	OTHER
A-Real Property	Yes	1	\$ 0.00		
B-Personal Property	Yes	2	\$ 5,525.00		
C-Property Claimed as Exempt	Yes	1			
D-Creditors Holding Secured Claims	Yes	1		\$ 0.00	
E-Creditors Holding Unsecured Priority Claims	Yes	1		\$ 0.00	
F-Creditors Holding Unsecured Nonpriority Claims	Yes	4		\$ 35,514.97	
G-Executory Contracts and Unexpired Leases	Yes	1			
H-Codebtors	Yes	1			
I-Current Income of Individual Debtor(s)	Yes	1			\$ 1,397.50
J-Current Expenditures of Individual Debtor(s)	Yes	1			\$ 1,397.50
Total Number of Sheets in All Schedules ►		14			
Total Assets ►			\$ 5,525.00		
Total Liabilities ►				\$ 35,514.97	

(Report also on Summary of Schedules.)

In re Emilie Montgomery

/ Debtor

Case No. _____

(if known)

SCHEDULE B-PERSONAL PROPERTY

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "X" in the appropriate position in the column labeled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether husband, wife, or both own property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed only in Schedule C-Property Claimed as Exempt.

Do not list interests in executory contracts and unexpired leases on this schedule. List them in Schedule G-Executory Contracts and Unexpired Leases.

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property."

Type of Property	None	Description and Location of Property	Husband-H Wife-W Joint-J Community-C	Current Market Value of Debtor's Interest, in Property Without Deducting any Secured Claim or Exemption
1. Cash on hand.	X			
2. Checking, savings or other financial accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.	X			
3. Security deposits with public utilities, telephone companies, landlords, and others.	X			
4. Household goods and furnishings, including audio, video, and computer equipment.		<i>Misc. Household Furnishings</i> <i>Location: In debtor's possession</i>		\$ 1,200.00
5. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.	X			
6. Wearing apparel.		<i>Clothing</i> <i>Location: In debtor's possession</i>		\$ 125.00
7. Furs and jewelry.	X			
8. Firearms and sports, photographic, and other hobby equipment.	X			
9. Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.	X			
10. Annuities. Itemize and name each issuer.	X			
11. Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Itemize.	X			
12. Stock and interests in incorporated and unincorporated businesses. Itemize.	X			
13. Interests in partnerships or joint ventures. Itemize.	X			
14. Government and corporate bonds and other negotiable and non-negotiable instruments.	X			
15. Accounts Receivable.	X			
16. Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.	X			

In re Emilie Montgomery

/ Debtor

Case No. _____

(if known)

SCHEDULE B-PERSONAL PROPERTY

(Continuation Sheet)

Type of Property	None	Description and Location of Property		Current Market Value of Debtor's Interest, in Property Without Deducting any Secured Claim or Exemption
17. Other liquidated debts owing debtor include tax refunds. Give particulars.	X			
18. Equitable or future interests, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule of Real Property.	X			
19. Contingent and non-contingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	X			
20. Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.	X			
21. Patents, copyrights, and other intellectual property. Give particulars.	X			
22. Licenses, franchises, and other general intangibles. Give particulars.	X			
23. Automobiles, trucks, trailers and other vehicles.		1999 Toyota Corolla Location: In debtor's possession		\$ 4,200.00
24. Boats, motors, and accessories.	X			
25. Aircraft and accessories.	X			
26. Office equipment, furnishings, and supplies.	X			
27. Machinery, fixtures, equipment and supplies used in business.	X			
28. Inventory.	X			
29. Animals.	X			
30. Crops - growing or harvested. Give particulars.	X			
31. Farming equipment and implements.	X			
32. Farm supplies, chemicals, and feed.	X			
33. Other personal property of any kind not already listed. Itemize.	X			
Total →				\$ 5,525.00

Debtor elects the exemptions to which debtor is entitled under:

☐ 11 U.S.C. § 522(b) (1): Exemptions provided in 11 U.S.C. § 522(d). Note: These exemptions are available only in certain states.

[illegible]

In re Emilie Montgomery / Debtor

Case No. _____

(if known)

SCHEDULE D-CREDITORS HOLDING SECURED CLAIMS

State the name, mailing address, including zip code, and account number, if any, of all entities holding claims secured by property of the debtor as of the date of filing of the petition. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests. List creditors in alphabetical order to the extent practicable. If all secured creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column marked "Codebtor," include the entity on the appropriate schedule of creditors and complete Schedule H - Codebtors. If a joint petition is filed, state whether husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedules. Report this total also on the Summary of Schedules.

☒ Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

Creditor's Name and Mailing Address Including Zip Code	C o d e b t o r	Date Claim was Incurred, Nature of Lien, and Description and Market Value of Property Subject to Lien	C o n t i n g e n t	U n l i q u i d a t e d	D i s p u t e d	Amount of Claim Without Deducting Value of Collateral	Unsecured Portion, if any
Account No:							
		Value:					
Account No:							
		Value:					
Account No:							
		Value:					
Account No:							
		Value:					
Account No:							
		Value:					

No continuation sheets attached

Subtotal \$	0.00
(Total of this page)	
Total \$	0.00

(Use only on last page. Report total also on Summary of Schedules)

In re Emilie Montgomery / Debtor Case No. _____
(if known)

SCHEDULE E-CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name and mailing address, including zip code, and account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of the petition.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors and complete Schedule H - Codebtors. If a joint petition is filed, state whether husband, wife, both of them or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of claims listed on each sheet in the box labeled "Subtotal" on each sheet. Report the total of all claims listed on this Schedule E in the box labeled "Total" on the last sheet of the completed schedule. Repeat this total also on the Summary of Schedules.

☒ Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.

TYPES OF PRIORITY CLAIMS

Check the appropriate box(es) below if claims in that category are listed on the attached sheets.

☐ **Extensions of credit in an involuntary case**

Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(2).

☐ **Wages, salaries, and commissions**

Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$4300* per person earned within 90 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(3).

☐ **Contributions to employee benefit plans**

Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).

☐ **Certain farmers and fishermen**

Claims of certain farmers and fishermen, up to \$4300* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(5).

☐ **Deposits by individuals**

Claims of individuals up to \$1950* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(6).

☐ **Alimony, Maintenance or Support**

Claims of a spouse, former spouse, or child of the debtor, for alimony, maintenance or support, to the extent provided in 11 U.S.C. § 507(a)(7).

☐ **Taxes and Certain Other Debts Owed to Governmental Units**

Taxes, custom duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).

☐ **Commitments to Maintain the Capital of an Insured Depository Institution**

Claims based on commitments to FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507(a)(9).

*Amounts are subject to adjustment on April 1, 2001, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

No continuation sheets attached

In re Emilie Montgomery / Debtor Case No. _____ (if known)

SCHEDULE F-CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

State the name, mailing address, including zip code, and account number, if any, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedules. Report this total also on the Summary of Schedules.

☐ Check this box if debtor has no creditors holding unsecured nonpriority claims to report on this Schedule F.

Creditor's Name and Mailing Address including Zip Code	C o d e b t o r	Date Claim was Incurred, and Consideration for Claim. If Claim is Subject to Setoff, so State.	C o n t i n g e n t	U n l i q u i d a t e d	D i s p u t e d	Amount of Claim
Account No: 571704-00-553051-0 Creditor # : 1 Beneficial Bankruptcy Department PO Box 9055 Brandon FL 33509		Personal Loan				\$ 1,107.54
Account No: Representing: Beneficial		Management Services Inc. PO Box 1099 Langhorne PA 19047				
Account No: Creditor # : 2 Boli var Med.Cen.Anesthesia PO Box 1380 Cleveland MS 38732		Medical Bills				\$ 306.00
Account No: Creditor # : 3 Boli var Medical Center P O Box 1380 901 Hwy 8 East Cleveland MS 38732		Medical Bills				\$ 1,674.80
Account No: Creditor # : 4 Capital One PO Box 85147 Richmond VA 23285-5149		Credit Card Purchases				\$ 2,080.01

3 continuation sheets attached

Subtotal \$
(Total of this page)

5,168.35

Total \$
(Report total also on Summary of Schedules)

In re Emilie Montgomery / Debtor Case No. _____ (if known)

SCHEDULE F-CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

(Continuation Sheet)

Creditor's Name and Mailing Address including Zip Code	C o d e b t o r	Date Claim was Incurred, and Consideration for Claim. If Claim is Subject to Setoff, so State. H--Husband W--Wife J--Joint C--Community	C o n t i n g e n t	U n l i q u i d a t e d	D i s p u t e d	Amount of Claim
Account No: Representing: Capital One		National Action Financial Serv 3587 Parkway Lane Norcross GA 30092				
Account No: Creditor # : 5 Chase Bankcard Services PO Box 52188 Phoenix AZ 85072-2188		Credit Card Purchases				\$ 7,324.44
Account No: Creditor # : 6 Chase Wal-mart PO Box 15583 Wilmington DE 19886-1194		Credit Card Purchases				\$ 2,237.56
Account No: Creditor # : 7 Creditors Interchange PO Box 1335 Buffalo NY 14240-1335		Credit Card Purchases collecting for Chase Wal-Mart				\$ 2,237.56
Account No: Creditor # : 8 Delta Obstetrics & Gynecolgy 801 First Street Cleveland MS 38732		Medical Bills				\$ 946.16
Account No: Creditor # : 9 Gateway Credit Card Plan PO Box 9028 Des Moines IA 50368-9028		Credit Card Purchases				\$ 3,106.93
Account No: Representing: Gateway Credit Card Plan		Encore Receivable Management 400 N. Rogers Road PO Box 3330 Olathe KS 66063-3330				
Sheet No. <u>1</u> of <u>3</u> continuation sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims						Subtotal \$ 15,852.65 (Total of this page) Total \$ (Report total also on Summary of Schedules)

In re Emilie Montgomery / Debtor

Case No. _____

(if known)

SCHEDULE F-CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

(Continuation Sheet)

Creditor's Name and Mailing Address Including Zip Code	C o d e b t o r	Date Claim was Incurred, and Consideration for Claim. If Claim is Subject to Setoff, so State.	C o n t i n g e n t	U n l i q u i d a t e d	D i s p u t e d	Amount of Claim
Account No: Creditor # : 10 Home Depot Credit Services Processing Center Des Moines IA 50364-0001		Credit Card Purchases				\$ 472.07
Account No: Creditor # : 11 Household Bank House Credit Services PO Box 5222 Carol Stream IL 60197		Credit Card Purchases				\$ 1,913.12
Account No: Representing: Household Bank		Accounts Receivable Management PO Box 129 Thorofare NJ 08086-0129				
Account No: Creditor # : 12 McRaes PO Box 10327 Jackson MS 39289-0327		Credit Card Purchases				\$ 1,115.96
Account No: Creditor # : 13 Preferred Financial Services PO Box 535 Wenham MA 09184		Debt counseling				\$ 39.95
Account No: Creditor # : 14 Sears Payment Center 86 Annex Atlanta GA 30386		Credit Card Purchases				\$ 2,911.41
Account No: Creditor # : 15 Shell Oil Co. Processing Center Des Moines IA 50367-0100		Credit Card Purchases				\$ 409.10
Sheet No. <u>2</u> of <u>3</u> continuation sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims						Subtotal \$ (Total of this page) Total \$ (Report total also on Summary of Schedules)
						6,861.61

In re Emilie Montgomery / Debtor Case No. _____ (if known)

SCHEDULE F-CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

(Continuation Sheet)

Creditor's Name and Mailing Address including Zip Code	C o d e b t o r	Date Claim was Incurred, and Consideration for Claim. If Claim is Subject to Setoff, so State.	C o n t i n g e n t	U n l i q u i d a t e d	D i s p u t e d	Amount of Claim
Account No: Creditor # : 16 Spiegel Card Processing Center PO Box 9204 Old Bethpage NY 11804		Credit Card Purchases				\$ 4,837.57
Account No: Representing: Spiegel		Salvatore Spinelli, Esq. 135 Maxess Road Suite 2 B Melville NY 11747				
Account No: Creditor # : 17 USAA Credit Card Services 10750 McDermott Fwy San Antonio TX 78288-0570		Credit Card Purchases				\$ 2,794.79
Account No:						
Account No:						
Account No:						
Account No:						
Sheet No. <u>3</u> of <u>3</u> continuation sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims						Subtotal \$ 7,632.36 (Total of this page) Total \$ 35,514.97 (Report total also on Summary of Schedules)

In re Emilie Montgomery / DebtorCase No. _____
(if known)**SCHEDULE G-EXECUTORY CONTRACTS AND UNEXPIRED LEASES**

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests. State nature of debtor's interests in contract, i.e., "Purchaser," "Agent," etc. State whether debtor is the lessor or lessee of a lease. Provide the names and complete mailing addresses of all other parties to each lease or contract described.

NOTE: A party listed on this schedule will not receive notice of the filing of this case unless the party is also scheduled in the appropriate schedule of creditors.

☒ Check this box if the debtor has no executory contracts or unexpired leases.

Name and Mailing Address, including Zip Code, of other Parties to Lease or Contract	Description of Contract or Lease and Nature of Debtor's Interest. State whether Lease is for Nonresidential Real Property. State Contract Number of any Government Contract.

In re Emilie Montgomery / Debtor Case No. _____
(if known)

SCHEDULE H-CODEBTORS

Provide the information requested concerning any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by debtor in the schedules of creditors. Include all guarantors and co-signers. In community property states, a married debtor not filing a joint case should report the name and address of the nondebtor spouse on this schedule. Include all names used by the nondebtor spouse during the six years immediately preceding the commencement of this case.

☒ Check this box if the debtor has no codebtors.

Name and Address of Codebtor	Name and Address of Creditor

In re Emilie Montgomery

/ Debtor

Case No. _____

(if known)

SCHEDULE I-CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by a married debtor in a chapter 12 or 13 case whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.

Debtor's Marital Status: <i>Single</i>	DEPENDENTS OF DEBTOR AND SPOUSE		
	NAMES	AGE	RELATIONSHIP
EMPLOYMENT: DEBTOR			
Occupation	<i>Chart Coordinator</i>		
Name of Employer	<i>EPPS of Miss</i>		
How Long Employed	<i>18 mo.</i>		
Address of Employer	<i>PO Box 2196 Delray Beach FL 33447-2196</i>		
Income: (Estimate of average monthly income)	DEBTOR	SPOUSE	
Current Monthly gross wages, salary, and commissions (pro rate if not paid monthly)	\$ 1,657.50	\$ 0.00	
Estimated Monthly Overtime	\$ 0.00	\$ 0.00	
SUBTOTAL	\$ 1,657.50	\$ 0.00	
LESS PAYROLL DEDUCTIONS			
a. Payroll Taxes and Social Security	\$ 260.00	\$ 0.00	
b. Insurance	\$ 0.00	\$ 0.00	
c. Union Dues	\$ 0.00	\$ 0.00	
d. Other (Specify):	\$ 0.00	\$ 0.00	
SUBTOTAL OF PAYROLL DEDUCTIONS	\$ 260.00	\$ 0.00	
TOTAL NET MONTHLY TAKE HOME PAY	\$ 1,397.50	\$ 0.00	
Regular income from operation of business or profession or farm (attach detailed statement)	\$ 0.00	\$ 0.00	
Income from Real Property	\$ 0.00	\$ 0.00	
Interest and dividends	\$ 0.00	\$ 0.00	
Alimony, maintenance or support payments payable to the debtor for the debtor's use or that of dependents listed above.	\$ 0.00	\$ 0.00	
Social Security or other government assistance			
Specify:	\$ 0.00	\$ 0.00	
Pension or retirement income	\$ 0.00	\$ 0.00	
Other monthly income			
Specify:	\$ 0.00	\$ 0.00	
TOTAL MONTHLY INCOME	\$ 1,397.50	\$ 0.00	
TOTAL COMBINED MONTHLY INCOME	\$ 1,397.50		
(Report also on Summary of Schedules)			

Describe any increase or decrease of more than 10% in any of the above categories anticipated to occur within the year following the filing of this document:

In re Emilie Montgomery / DebtorCase No. _____
(if known)**SCHEDULE J-CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR**

Complete this schedule by estimating the average expenses of the debtor and the debtor's family. Pro rate any payments made bi-weekly, quarterly, semi-annually, or annually to show monthly rate.

☐ Check this box if a joint petition is filed and debtor's spouse maintains a separate household. Complete a separate schedule of expenditures labeled "Spouse."

Rent or home mortgage payment (include lot rented for mobile home)	\$	175.00
Are real estate taxes included? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
Is property insurance included? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
Utilities: Electricity and heating fuel	\$	260.17
Water and sewer	\$	35.00
Telephone	\$	140.00
Other cable	\$	41.83
Home maintenance (Repairs and upkeep)	\$	0.00
Food	\$	265.00
Clothing	\$	40.00
Laundry and dry cleaning	\$	0.00
Medical and dental expenses	\$	97.00
Transportation (not including car payments)	\$	85.00
Recreation, clubs and entertainment, newspapers, magazines, etc.	\$	0.00
Charitable contributions	\$	140.00
Insurance (not deducted from wages or included in home mortgage payments)		
Homeowner's or renter's	\$	34.57
Life	\$	0.00
Health	\$	0.00
Auto	\$	83.93
Other	\$	0.00
Taxes (not deducted from wages or included in home mortgage)		
Specify:	\$	0.00
Installment payments: (in chapter 12 and 13 cases, do not list payments to be included in the plan)		
Auto	\$	0.00
Other:	\$	0.00
Alimony, maintenance, and support paid to others	\$	0.00
Payments for support of additional dependents not living at your home	\$	0.00
Regular expenses from operation of business, profession, or farm (attach detailed statement)	\$	0.00
Other:	\$	0.00
TOTAL MONTHLY EXPENSES (Report also on Summary of Schedules)	\$	1,397.50

In re Emilie Montgomery

/ Debtor

Case No. _____

(if known)

DECLARATION CONCERNING DEBTOR'S SCHEDULES**DECLARATION UNDER PENALTY OF PERJURY BY AN INDIVIDUAL DEBTOR**

I declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of 15 sheets, and that they are true and correct to the best of my knowledge, information and belief.

Date: 2/12/04 _____

Signature _____


Emilie Montgomery

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF MISSISSIPPI
NORTHERN DISTRICT OF MISS DIVISION**

In re *Emilie Montgomery*Case No.
Chapter 7

_____/ Debtor

STATEMENT OF FINANCIAL AFFAIRS

This statement is to be completed by every debtor. Spouses filing a joint petition may file a single statement on which the information for both spouses is combined. If the case is filed under chapter 12 or chapter 13, a married debtor must furnish information for both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. An individual debtor engaged in business as a sole proprietor, partner, family farmer, or self-employed professional, should provide the information requested on this statement concerning all such activities as well as the individual's personal affairs.

Questions 1-15 are to be completed by all debtors. Debtors that are or have been in business, as defined below, also must complete Questions 16-21. If the answer to any question is "None," or the question is not applicable, mark the box labeled "None." If additional space is needed for the answer to any question, use and attach a separate sheet properly identified with the case name, case number (if known), and the number of the question.

DEFINITIONS

"In business." A debtor is "in business" for the purpose of this form if the debtor is a corporation or partnership. An individual debtor is "in business" for the purpose of this form if the debtor is or has been, within the two years immediately preceding the filing of this bankruptcy case, any of the following: an officer, director, managing executive, or person in control of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or self-employed.

"Insider." The term "insider" includes but is not limited to: relatives of the debtor; general partners of the debtor and their relatives; corporations of which the debtor is an officer, director, or person in control; officers, directors, and any person in control of a corporate debtor and their relatives; affiliates of the debtor and insiders of such affiliates; any managing agent of the debtor. 11 U.S.C. §101.

1. Income from employment or operation of business.

State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the two years immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNTSOURCE (if more than one)

Year to date: \$2,235.00

Last Year: \$19,890.00

Year before:

2. Income other than from employment or operation of business.

State the amount of income received by the debtor other than from employment, trade, profession, or operation of the debtor's business during the two years immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

☒ NONE**3a. Payments to creditors.**

List all payments on loans, installment purchases of goods or services, and other debts, aggregating more than \$600 to any creditor, made within 90 days immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

☒ NONE

- 3b. List all payments made within one year immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

☒ NONE

4a. Suits and administrative proceedings, executions, garnishments and attachments.

List all suits and administrative proceedings to which the debtor is or was a party within one year immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

☒ NONE

- 4b. Describe all property that has been attached, garnished or seized under any legal or equitable process within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

☒ NONE

5. Repossessions, foreclosures and returns.

List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

☒ NONE

6a. Assignments and receiverships.

Describe any assignment of property for the benefit of creditors made within 120 days immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

☒ NONE

- 6b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

☒ NONE

7. Gifts.

List all gifts or charitable contributions made within one year immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

☒ NONE

8. Losses.

List all losses from fire, theft, other casualty or gambling within one year immediately preceding the commencement of this case or since the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

☒ NONE

9. Payments related to debt counseling or bankruptcy.

List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of a petition in bankruptcy within one year immediately preceding the commencement of this case.

NAME AND ADDRESS OF PAYEE	DATE OF PAYMENT, NAME OF PAYOR IF OTHER THAN DEBTOR	AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY
Payee: Preferred Financial Services Address: PO Box 535 Wenham, MA 09184	Date of Payment: August 1, 2003 - January 1, 2004 Payor:	

10. Other transfers.

List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

☒ NONE

11. Closed financial accounts.

List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within one year immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless spouses are separated and a joint petition is not filed.)

☒ NONE

12. Safe deposit boxes.

List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

☒ NONE

13. Setoffs.

List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within 90 days preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

☒ NONE

14. Property held for another person.

List all property owned by another person that the debtor holds or controls.

☒ NONE

15. Prior address of debtor.

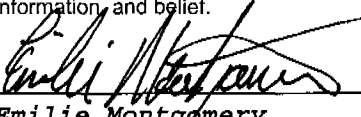
If the debtor has moved within the two years immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.

☒ NONE

DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of Perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachments thereto and that they are true and correct to the best of my knowledge, information, and belief.

Date 2/12/04

Signature 
Emilie Montgomery

Date _____

Signature _____

Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years or both, 18 U.S.C. § 152 and § 3571.

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF MISSISSIPPI
NORTHERN DISTRICT OF MISS DIVISION**

In re **Emilie Montgomery**


Case No.
Chapter 7

/ Debtor

Attorney for Debtor: **Michael W. Boyd, LLC**

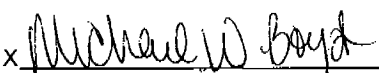
STATEMENT PURSUANT TO RULE 2016(B)

The undersigned, pursuant to Rule 2016(b), Bankruptcy Rules, states that:

1. The undersigned is the attorney for the debtor(s) in this case.
2. The compensation paid or agreed to be paid by the debtor(s), to the undersigned is:
 - a) For legal services rendered or to be rendered in contemplation of and in connection with this case  \$ 9m 550.00
 - b) Prior to the filing of this statement, debtor(s) have paid \$ 550.00
 - c) The unpaid balance due and payable is \$ 0.00
3. \$ 9m 209.00 of the filing fee in this case has been paid.
4. The Services rendered or to be rendered include the following:
 - a) Analysis of the financial situation, and rendering advice and assistance to the debtor(s) in determining whether to file a petition under title 11 of the United States Code.
 - b) Preparation and filing of the petition, schedules, statement of affairs and other documents required by the court.
 - c) Representation of the debtor(s) at the meeting of creditors.
5. The source of payments made by the debtor(s) to the undersigned was from earnings, wages and compensation for services performed, and
None other
6. The source of payments to be made by the debtor(s) to the undersigned for the unpaid balance remaining, if any, will be from earnings, wages and compensation for services performed, and
None other
7. The undersigned has received no transfer, assignment or pledge of property from debtor(s) except the following for the value stated:
None
8. The undersigned has not shared or agreed to share with any other entity, other than with members of undersigned's law firm, any compensation paid or to be paid except as follows:
None

Dated: 2/12/03

Respectfully submitted,

x 
Attorney for Petitioner: **Michael W. Boyd, LLC**
Boyd Law Office
Michael W. Boyd, LLC
P. O. Drawer 1586
Greenville MS 38702-1586

Contract For Legal Services
Bankruptcy Under Chapter 7 (Liquidation Bankruptcy)

THIS AGREEMENT ENTERED INTO ON THIS, the 12th day of February, 2004, by and between MICHAEL W. BOYD, Attorney at Law and Emilie Montgomery [hereinafter referred to as "Client"]:

Attorney hereby agrees to prepare a Chapter 7 Bankruptcy Petition for Client for total attorney's fees of Five Hundred Fifty Dollars [\$550.00]. The Court filing fees are the responsibility of the Client, and are not included in the attorney fees. The Court filing fees for filing the initial Chapter 7 Petition are Two Hundred Dollars [\$209.00]. There are additional fees charged in the event any Adversarial Proceeding are filed in a Chapter 7 Bankruptcy. Fees are also based on the complexities of the proceedings, time for services rendered, as well as all expenses. Any additional filing fees that are incurred such as adding creditors after the petition has been filed or re-opening the Chapter 7 Bankruptcy case after it has been discharged are the responsibility of the Client.

Attorney agrees to represent Client conscientiously until Client is granted a discharge or the case is dismissed. Attorney's fees shall include, but not be limited, analysis of Client's financial situation; advising and assisting Client in making a decision to file a Bankruptcy Petition; preparing and filing any Petition and all appropriate schedules and attachments; and representing Client at first meeting of creditors, as well as all services related to motions to avoid liens, defending motions seeking relief from Automatic Stay, and objections claims; as well as other routine contested proceedings. In business cases or in cases involving an extraordinary amount of time, the Court will consider a request for a fee in excess of the aforesaid amount upon the filing of an appropriate itemized application.

Client agrees to provide Attorney with a complete list of all creditors, including full mailing addresses, account numbers, approximate balances due on each account, monthly payment due on each account, arrearage on each account, collateral involved in each secured loan, all information pertaining to the past, present imminent or threatened action by Client's creditors to collect on any past due accounts, and all other information contained in the Chapter 7 Petition is provided solely by Client to Attorney. It is Client's obligation and legal responsibility to review the Petition prior to its signing and to immediately notify Attorney of any inaccuracies and/or mistakes contained therein.

Client understands that he/she will receive a written notification of the date and time of the 341 First Meeting of Creditors from the U.S. Bankruptcy Court, and the Client understands that it is his/her responsibility to attend said meeting. IT IS IMPERATIVE THAT CLIENT ATTEND THE FIRST MEETING OF CREDITORS OR THE CASE WILL BE DISMISSED. Client acknowledges that he/she understands this.

It is the policy of Boyd Law Office that no refunds are issued. By signing this contract, Client acknowledges that he/she has read and understood this Agreement and acknowledges further that Client intends to be fully bound by the terms of this Agreement.

Michael W. Boyd
Michael W. Boyd, Attorney at Law

x Emilie Montgomery
Client

Date: 2/14/04

Client

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF MISSISSIPPI
NORTHERN DISTRICT OF MISS DIVISION**

In re *Emilie Montgomery*

Case No.
Chapter 7

_____/ Debtor

Attorney for Debtor: *Michael W. Boyd, LLC*

VERIFICATION OF CREDITOR MATRIX

The above named Debtor(s) hereby verify that the attached list of creditors is true and correct to the best of our knowledge.

Date: 2/12/04



Debtor

Accounts Receivable Management

PO Box 129

Thorofare, NJ 08086-0129

Beneficial

Bankruptcy Department

PO Box 9055

Brandon, FL 33509

Bolivar Med.Cen.Anesthesia

PO Box 1380

Cleveland, MS 38732

Bolivar Medical Center

P O Box 1380

901 Hwy 8 East

Cleveland, MS 38732

Capital One

PO Box 85147

Richmond, VA 23285-5149

Chase Bankcard Services

PO Box 52188

Phoenix, AZ 85072-2188

Creditors Interchange

PO Box 1335

Buffalo, NY 14240-1335

Delta Obstetrics & Gynecology

801 First Street

Cleveland, MS 38732

Encore Receivable Management

400 N. Rogers Road

PO Box 3330

Olathe, KS 66063-3330

Gateway Credit Card Plan

PO Box 9028

Des Moines, IA 50368-9028

Home Depot Credit Services

Processing Center

Des Moines, IA 50364-0001

Household Bank

House Credit Services

PO Box 5222

Carol Stream, IL 60197

Management Services Inc.

PO Box 1099

Langhorne, PA 19047

McRaes
PO Box 10327
Jackson, MS 39289-0327

National Action Financial Serv
3587 Parkway Lane
Norcross, GA 30092

Preferred Financial Services
PO Box 535
Wenham, MA 09184

Salvatore Spinelli, Esq.
135 Maxess Road
Suite 2 B
Melville, NY 11747

Sears
Payment Center
86 Annex
Atlanta, GA 30386

Shell Oil Co.
Processing Center
Des Moines, IA 50367-0100

Spiegel
Card Processing Center
PO Box 9204
Old Bethpage, NY 11804

USAA Credit Card Services
10750 McDermott Fwy
San Antonio, TX 78288-0570

Wal-mart
PO Box 15583
Wilmington, DE 19886-1194

Office of the U. S. Trustee
Suite 706
100 West Capitol Street
Jackson, MS 39269